

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DDR HOLDINGS, LLC	:	
	:	
v.	:	C.A. No. 17-498-CFC
	:	(lead case)
PRICELINE.COM LLC	:	

DDR HOLDINGS, LLC	:	
	:	
v.	:	C.A. No. 17-499-CFC
	:	
BOOKING.COM B.V.	:	

DDR HOLDINGS, LLC	:	
	:	
v.	:	C.A. No. 17-501-CFC
	:	
SHOPIFY, INC.	:	

**STIPULATION AND ORDER TO STAY THE CASE PENDING
RESOLUTION OF *INTER PARTES* REVIEW**

WHEREAS plaintiff DDR Holdings, LLC (“Plaintiff”) filed this lawsuit asserting claims against defendants Priceline.com LLC, Booking.com B.V., and Shopify (“Defendants”) for alleged infringement of U.S. Patent Nos. 7,818,399; 8,515,825; 9,043,228; and 9,639,876 (the “Patents-in-Suit”).

WHEREAS one or more of the Defendants have filed Petitions for *Inter Partes* Review of all the Patents-in-Suit before the Patent Trial and Appeal Board (the “PTAB”);

WHEREAS the petitions are currently pending before the PTAB and the PTAB has issued decisions instituting proceedings as to all the Patents-in-Suit, docketed as IPR2018-00482, IPR2018-01008, IPR2018-01009, IPR2010-01010, IPR2018-01011, IPR2018-01012, and IPR2018-01014 (“the IPRs”);

WHEREAS scheduling orders for the IPRs have been entered, and a copy of the scheduling order applicable to IPR2018-00482 is attached as Exhibit A hereto and a copy of the scheduling order applicable to all of the other IPRs is attached as Exhibit B hereto;

NOW THEREFORE, the parties hereby stipulate and agree as follows, subject to approval by the Court:

The parties stipulate to stay this litigation (including a stay of all discovery and discovery responses) pending resolution by the PTAB of the patentability of all challenged claims in the IPRs via Final Written Decisions (“resolution of the IPRs”).

For clarity, the parties do not currently stipulate to continue the stay during any appeal arising from the IPRs. However, this stipulation is without prejudice to a party’s right to seek a continuation of the present stay or to seek a further stay.

Accordingly, the parties respectfully request that the Court stay all case deadlines and vacate the December 17, 2018 status conference, pending resolution of the IPRs. Within thirty (30) days of the resolution of the IPRs, the parties will

notify the Court of the outcomes, their impact on the case, and, if needed, file a new proposed Scheduling Order or a motion or proposed stipulation to continue the current stay.

/s/ Brian E. Farnan
Brian E. Farnan (#4089)
Rosemary J. Piergiovanni (#3655)
Farnan, LLP
919 N. Market Street, 12th Floor
Wilmington, DE 19801
(302) 777-0300
bfarnan@farnanlaw.com
rpiergiovanni@farnanlaw.com

Of Counsel:
Louis J. Hoffman
LOUIS J. HOFFMAN, P.C.
7689 E. Paradise Lane, Ste. 2
Scottsdale, AZ 85260
(480) 948-3295
louis@valuablepatents.com

*Attorneys for Plaintiff
DDR Holdings, LLC*

/s/ Stephen J. Kraftschik
Jack B. Blumenfeld (#1014)
Stephen J. Kraftschik (#5623)
Morris, Nichols, Arsht & Tunnell
LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com
skraftschik@mnat.com

Of Counsel:
Michael T. Renaud
Michael J. McNamara
Sandra J. Badin
Robert J. L. Moore
Jinnie L. Reed
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
One Financial Center

/s/ Francis DiGiovanni
Francis DiGiovanni (#3189)
M. Curt Lambert (4882)
Thatcher A. Rahmeier (#5222)
Drinker Biddle & Reath LLP
222 Delaware Avenue, Ste. 1410
Wilmington, DE 19801
(302) 467-4200
francis.digiovanni@dbr.com
curt.lambert@dbr.com
thatcher.rahmeier@dbr.com

Of Counsel:
Dan D. Davison
Brett C. Govett
James V. Leito, IV
Norton Rose Fulbright US LLP
2200 Ross Ave., Suite 3600
Dallas, TX 75201
(214) 855-8000
dan.davison@nortonrosefulbright.com
brett.govett@nortonrosefulbright.com
james.leito@nortonrosefulbright.com

Marwan Elrakabawy
Catherine J. Garza
Norton Rose Fulbright US LLP
98 San Jacinto Boulevard, Suite 1100
Austin, TX 78701
(512) 474-5201
marwan.elrakabawy@nortonrosefulbright.com
cat.garza@nortonrosefulbright.com

*Attorneys for Defendants Priceline.com LLC
and Booking.com B.V.*

Boston, MA 02111
(617) 542-6000

*Attorneys for Defendant
Shopify, Inc.*

Dated: November 28, 2018

SO ORDERED this _____ day of November, 2018.

United States District Judge